

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DONNA SQUALLS-EL,

Plaintiff(s),

v.

PATRICK M. DOHANY,

Defendant(s).

Case No. 2:09-cv-11110

HONORABLE STEPHEN J. MURPHY, III

ORDER ADOPTING REPORT AND RECOMMENDATION (docket 4)
AND GRANTING DEFENDANT'S MOTION TO DISMISS (docket 7)

This is an action by a pro se plaintiff, Donna Squalls-El, against Patrick Dohany, the Oakland County Treasurer, challenging the foreclosure of certain property allegedly owned by Dorothy Squalls. On April 14, 2009, Dohany filed a motion to dismiss the complaint with prejudice on the grounds that the plaintiff's complaint failed to state a basis for the Court's jurisdiction and that plaintiff's claims are barred by the *Rooker-Feldman* doctrine. This motion was referred by order of this Court, along with all other pretrial matters, to United States Magistrate Judge Virginia Morgan on April 17, 2009.

Plaintiff did not file any response to defendant's motion to dismiss. On May 27, 2009, Magistrate Judge Morgan held a hearing on the motion to dismiss, but the plaintiff did not appear.

On May 29, 2009, Magistrate Judge Morgan issued a report and recommendation on the defendant's motion to dismiss. Magistrate Judge Morgan recommended that this Court grant the defendant's motion to dismiss because the plaintiff had failed to properly identify a basis for federal jurisdiction and because, even if federal jurisdiction existed over the plaintiff's claims, jurisdiction would be barred by the *Rooker-Feldman* doctrine. The

Magistrate Judge also notified the parties that any objections must be filed within ten days of service. No party has filed objections to the report and recommendations.

The Court's standard of review for a magistrate judge's report and recommendation depends upon whether a party files objections. If a party does not object to the report and recommendation, the Court does not need to conduct a review by any standard. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). Because neither party filed timely objections to Magistrate Judge Morgan's report and recommendation, see 28 U.S.C. § 636(B)(1)(c); Fed. R. Civ. P. 6(e), this Court need not and will not conduct a review.

ACCORDINGLY, IT IS HEREBY ORDERED that the Report and Recommendation [docket entry 7] is **ACCEPTED** and **ADOPTED** as the opinion of this Court.

IT IS FURTHER ORDERED that defendant's motion to dismiss [docket entry 4] is **GRANTED** and plaintiff's complaint is **DISMISSED WITH PREJUDICE**.

s/Stephen J. Murphy, III
STEPHEN J. MURPHY, III
United States District Judge

Dated: June 25, 2009

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on June 25, 2009, by electronic and/or ordinary mail.

Alissa Greer
Case Manager